IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8351 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE A.R.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any OJJJJ

JJJJJ

I have heard the learned advocates and have also perused the affidavit-in-reply filed on behalf of respondent No. 3

2. It has been submitted by the learned advocates that petitioners Nos. 1 to 7 are workmen of respondent No. 1, petitioners Nos. 8 to 14 are workmen of respondent No. 2 and petitioners Nos. 15 and 16 are workmen of respondent No. 4. Respondent No. 3 has given a contract to respondents Nos. 1, 2 and 4 and, therefore, the workmen of the said respondents are working at the establishment of respondent No. 3.

3. It has been submitted by learned advocate Shri Mehta appearing for respondent No. 3 that the contract entered into by respondent No. 1 with respondent No. 3 has come to an end and therefore petitioners Nos. 1 to 7 are not performing their duties at the establishment of respondent No. 3 at present.

4. Learned advocate Shri Parekh has submitted that services of the petitioners are likely to be terminated without following legal procedure and, therefore, the petitioners would like to approach the concerned authority for protection of their legal rights. It has been submitted by him that the petitioners shall raise industrial dispute before the concerned authority within one week from today.

5. In the circumstances, it is directed that the petitioners shall approach the conciliation officer with regard to the demands which are subject-matter of this petition. The Conciliation Officer shall submit an appropriate report within three months from the date of initiation of the conciliation proceedings. He shall submit the report after considering the rival contentions and objections. If failure report is submitted by the Conciliation Officer, the appropriate Government shall take a decision by passing an appropriate order and shall take action in accordance with law with regard to making reference.

6. It is directed that in the meantime, services of the petitioners shall not be terminated except in accordance with law.

7. In view of the above directions given by this court, learned advocate Shri Parekh seeks permission to withdraw this petition. Permission for withdrawal is granted. The petition stands disposed of as withdrawn.

Ad-interim relief stands vacated. Rule is discharged with no order as to costs.

Direct service is permitted.

(A.R. Dave, J.)

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